

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:08-cr-00082-MR-1**

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|--|---|---------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | <u>ORDER</u> |
| |) | |
| VINCENT LAMAR BOULWARE, |) | |
| |) | |
| Defendant. |) | |
| <hr style="width:45%; margin-left:0"/> |) | |

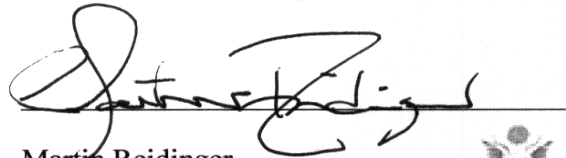
THIS MATTER is before the Court on the Defendant's "Motion for Reconsideration under 18 U.S.C. § 3742." [Doc. 156].

The Defendant moves for reconsideration of the Order denying his Motion for Reduction of Sentence pursuant to 18 U.S.C. § 3582(c)(2). [Doc. 156]. Simultaneous with the Defendant's motion for reconsideration, the Court also received the Defendant's Notice of Appeal of that same Order. [Doc. 157]. The Defendant's Notice of Appeal divests this Court of jurisdiction and confers jurisdiction upon the Court of Appeals. See United States v. Christy, 3 F.3d 765 (4th Cir. 1993). Accordingly, the Defendant's motion is denied for lack of jurisdiction.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's
"Motion for Reconsideration" [Doc. 156] is **DENIED** for lack of jurisdiction.

IT IS SO ORDERED.

Signed: March 1, 2017


Martin Reidinger
United States District Judge

